



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Approve Supplemental Environmental Project in Response to Regional Water Quality Control Board Administrative Civil Liability Complaint No. 5-00-515 (\$26,000)

MEETING DATE: September 20, 2000

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council approve submission of the proposed Supplemental Environmental Project in response to Administrative Civil Liability Complaint No. 5-00-515; and appropriate \$26,000 for the project.

BACKGROUND INFORMATION: Earlier this year, the City was fined \$20,000 by the Regional Water Quality Control Board (RWQCB) for a discharge to Dredger Cut of effluent that was not dechlorinated to permit requirements. In reviewing the circumstances and the amount of the fine, particularly in relation to much higher fines that have been levied elsewhere, the Council directed staff to work with the RWQCB on a "Supplemental Environmental Project" (SEP) which could be undertaken in lieu of paying part or all of the fine.

City staff discussed this alternative with RWQCB staff and learned:

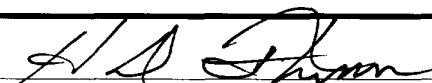
1. The "project" could not be one that we would undertake anyway, such as improving the control and alarm systems at the White Slough Facility.
2. RWQCB's Executive Director's policy is that only half of the fine could be diverted to a SEP, although we may be able to make a case for a higher proportion going to the project.
3. There was interest on the part of RWQCB staff in a project that would relate to the Mokelumne River and Lodi Lake. (City staff was concerned that the project would be limited to the immediate Dredger Cut area.)
4. Projects that focused on education on the subject of water quality, and how various activities and events can impair water quality, were acceptable.

Following this discussion, we looked for an existing, local organization that could easily take on such a project meeting the above criteria. We felt that the Lodi Lake Docents would be a logical choice. The group already has a facility at Lodi Lake, the Discovery Center, and is in the business of educating young people about the river and riparian habitat. The Parks and Recreation Department funds one part-time staff person (Kathy Grant) at a minimal level to assist Parks Program Coordinator Grant Plath in the various programs at Lodi Lake. Mr. Plath and Ms. Grant were willing to expand the program to include water quality issues.

Ms. Grant has researched various programs, maximizing use of local talent, and we are recommending the following "project":

1. Aquatic toxicity testing - \$13,000 - This effort would be coordinated by Ms. Grant with assistance from City White Slough laboratory staff. It includes training several high school teachers and students on sample collection and testing along with a seminar on environmental science/watershed hydrology. The training would be provided by Mr. Stephen Clark, Ph.D., of Pacific EcoRisk, who developed the program while at

APPROVED:


H. Dixon Flynn -- City Manager

SUPLENVIRPRJCT

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UC Davis and has conducted the program with hundreds of participants in the Sacramento area. (Mr. Clark is also a Tokay High School graduate.) The budget includes \$2,000 for Pacific EcoRisk and \$8,000 for laboratory test costs, although we may be able to slightly reduce the amount by doing some tests in-house or including the tests with others done by outside laboratories for routine White Slough testing. The budget also includes an allowance of \$3,000 for teacher stipends since the training will likely be done outside of normal school hours, or, if during school, to pay for substitute teachers.

City staff proposes that we implement this program this year and include a repeat session in the second year of the next 2-year budget cycle.

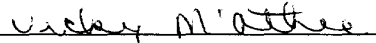
2. Riparian habitat curriculum update - \$2,000 - Ms. Grant brought in Jay Bell, LUSD science curriculum specialist, who has developed a curriculum used by the Docents in their student programs at the Lodi Lake Nature Area. This element of the project would include updating the curriculum to include water quality issues as they pertain to the Lake, the River, and riparian habitat. The budget includes an allowance for printing.
3. Watershed Model - \$1,200 - This element of the project consists of purchasing a watershed "model" that would be used to demonstrate water quality impacts, primarily to children (see Exhibits A and B for examples). The package includes demonstration instructions and sample curriculum.
4. Discovery Center modifications - \$3,400 - This includes minor modifications to the Discovery Center to accommodate the program, and includes an allowance for tables, shelves, and miscellaneous supplies.
5. Part-time staff - \$6,400 - This provides for additional part-time hours to conduct the program. Staff proposes that this be an on-going program within the wastewater utility budget.

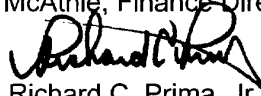
We recognize that the proposed project exceeds the amount of the fine and includes on-going costs. We propose this for two reasons. One is that by showing a strong effort to the RWQCB, we will be able to use most, if not all, of the fine for the project. Second, but more importantly, the wastewater utility really needs to move toward supporting strong environmental programs. Our electric utility vigorously sponsors energy-efficiency programs. Our solid waste franchise includes strong recycling and waste-reduction programs. Our water utility includes a strong water conservation program, although we could do more in the way of education and rebate programs. But our wastewater utility is lacking in general education programs. This will become even more important as we move to comply with the new storm drain regulations in the next few years.

Following Council direction on this project, staff will submit the project to the RWQCB for approval. RWQCB staff has requested a response by the end of September (Exhibit C).

FUNDING: Requested Appropriation: Wastewater Fund \$26,000

Funding Available:


Vicky McAthie, Finance Director


Richard C. Prima, Jr.
Public Works Director

RCP/lm

Attachments

cc: Jack Harrison, Interim Parks and Recreation Director
Fran Forkas, Water/Wastewater Superintendent
Del Kerlin, Assistant Wastewater Treatment Superintendent
Grant Plath, Parks Program Coordinator
Kathy Grant, Lodi Lake Nature Area Docent Council

SUPLENVIRPRJCT

EnviroScape® Nonpoint Source

We all live in a watershed, with water pollution coming from many sources.

EnviroScape® Nonpoint Source shows pollution from nonpoint sources, such as

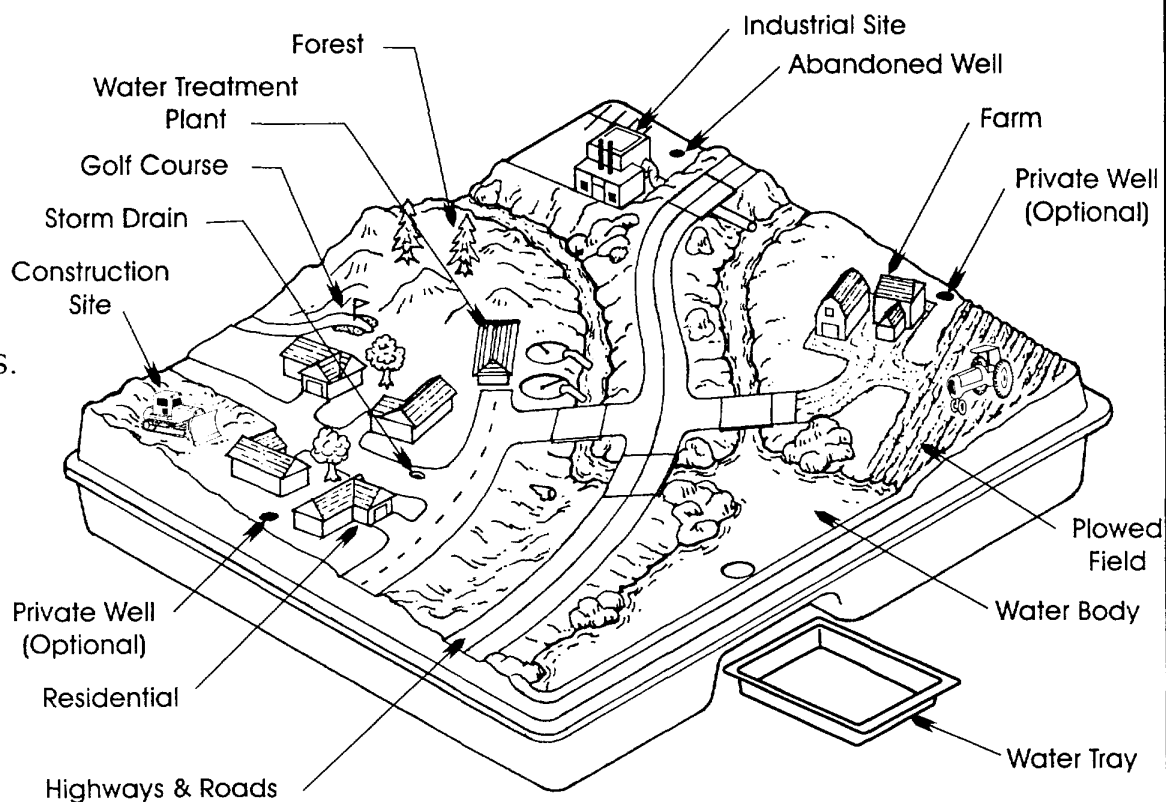
- residential areas,
- forestry,
- transportation,
- recreation,
- agriculture,
- construction, as well as from
- industry as a point source.

Pollution and runoff are visually apparent when rain carries soil (cocoa), chemicals (colored drink mixes) and oil (cocoa and water mixture) through the watershed to a pond, lake, river or ocean.

Best management practices include felt buffer strips as vegetation, clay to create berms and other methods to show conservation and water pollution prevention measures at work.

CONTENTS: Nonpoint source topographical map (top), clear base, houses, barn, factory, drain pipe, treatment plant, trees, golf flags, cows, cars and best management practices such as buffer strips, clay berms, manure container, soil, oils and chemicals (cocoa, drink mixes and oil mix), bridges, watercatcher, rainmaker, water plug and User's Guide.

DIMENSIONS: approximately 25" x 30" x 5"



Abandoned and private wells are for use with Groundwater Kit (optional)

What Users Say ...

"*EnviroScape is the leading teaching tool* that water educators have for portraying the complexity and importance of water quality practices. We have used EnviroScape at every one of our Children's Groundwater Festivals. And, the expansion of the program and supplemental teaching materials just keep getting better through time."

— SUSAN SEACREST, President, The Groundwater Foundation

"*It's a people thing.* At Cargill, the employees are the volunteers who go into the communities. With EnviroScape, they can show why pollution prevention is important for everyone. It's our way of giving back and more."

— BILL PRESTON, Cargill, Saginaw, Foods Division

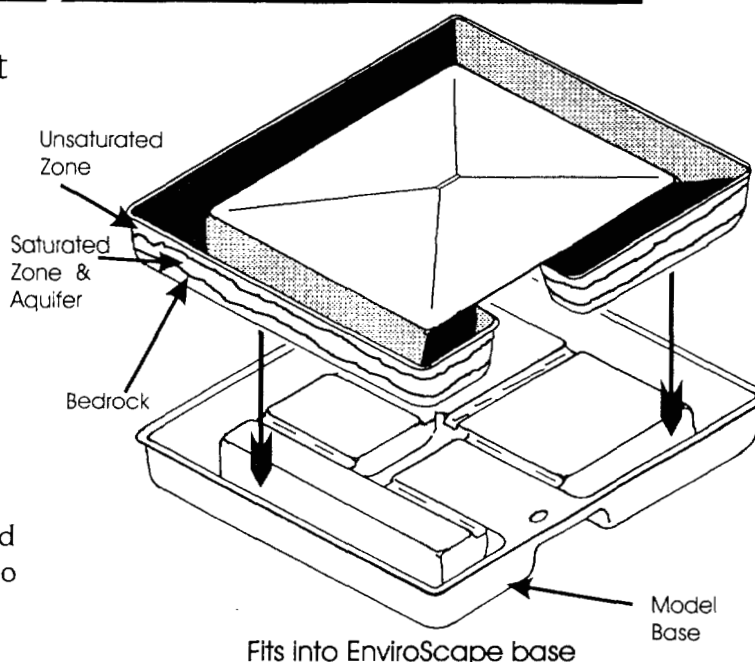
ITEM #	EnviroScape Product (price + shipping)
71005C	EnviroScape Nonpoint Source \$679 + \$25 shipping

EnviroScape® Groundwater Kit

The EnviroScape Groundwater Kit demonstrates how groundwater works, how we use groundwater, how we pollute groundwater and how we can prevent and clean up groundwater contamination.

It covers the basic concepts and is not intended for use as a highly technical demonstration.

The kit includes a plastic liner with a silk-screened depiction of unsaturated/saturated soils, aquifer and bedrock layers that inserts into the EnviroScape clear base. Private wells and pumps (clear tubing and spray pumps), an abandoned well (clear tubing), and User's Guide are also included.



71005G EnviroScape Groundwater Kit
\$159 + \$25 shipping

EnviroScape® Riparian Kit

The EnviroScape Riparian Kit shows the benefits of riparian buffers — areas including trees and other vegetation adjacent to the banks of streams, rivers and lakes.

The kit explores the positive effects of good riparian buffers as well as activities that contribute to poor riparian buffer zones. Positive effects include cooler water temperatures and shading for in-stream organisms (canopy cover); reduced volume and rate of flooding (water infiltration); food sources for in-stream organisms (protective habitat); streambank stabilization (erosion control); sediment trapping and nutrient removal (plant root systems); and recreational corridors.

Kit contains components for a complete demonstration of how riparian buffers affect water quality,



quantity and flow. Each kit contains 40 trees (20 round and 20 tall), shrubs, clay, assorted roots (cotton swabs), flashlight and User's Guide. Designed for the EnviroScape Wetland model, but may be used with all scenarios with some modification to the demonstration.

71005RIP EnviroScape Riparian Kit
\$135 + \$15 shipping



Winston H. Hickox
Secretary for
Environmental
Protection

California Regional Water Quality Control Board

Central Valley Region

Steven T. Butler, Chair



Gray Davis
Governor

Sacramento Main Office

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3443 Routier Road, Suite A, Sacramento, California 95827-3003
Phone (916) 255-3000 • FAX (916) 255-3015

6 September 2000

SEP 07 2000

Mr. Richard C. Prima
Public Works Director
City of Lodi
Post Office Box 3006
Lodi, CA 95241-1910

ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. 5-00-515, CITY OF LODI, WHITE SLOUGH WATER POLLUTION CONTROL PLANT, SAN JOAQUIN COUNTY

This letter is being sent to clarify our understanding of the timeframe needed to resolve the Administrative Civil Liability Complaint No. 5-00-515, issued to the City of Lodi on 9 June 2000 in the amount of \$20,000.

Your letter of 26 June 2000 waived the right to a hearing within 60 days, and indicated that a proposal for a supplemental environmental project (SEP) would be submitted within 60 days. Our office then received an e-mail on 17 August 2000 that it was taking longer to prepare the proposal. It is my understanding that you now need until 29 September 2000 to submit the proposal for the SEP. We will look forward to your submittal and proposal to resolve the Complaint by 29 September 2000. If we do not resolve this issue by that time we propose to proceed with preparing the action for a Board hearing.

Please call me at (916) 255-3023 if you have any questions.

PATRICIA LEARY
Senior Engineer

PHL:pl

CITY COUNCIL

STEPHEN J. MANN, Mayor
ALAN S. NAKANISHI
Mayor Pro Tempore
SUSAN HITCHCOCK
KEITH LAND
PHILLIP A. PENNINO

CITY OF LODI
PUBLIC WORKS DEPARTMENT

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H. DIXON FLYNN
City Manager
SUSAN J. BLACKSTON
City Clerk
RANDALL A. HAYS
City Attorney
RICHARD C. PRIMA, JR.
Public Works Director

September 15, 2000

Ms. Kathy Grant
Lodi Lake Nature Area Docent Council
c/o 841 West Cardinal Street
Lodi, CA 95240

SUBJECT: Approve Supplemental Environmental Project in Response to
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Complaint No. 5-00-515 (\$26,000)

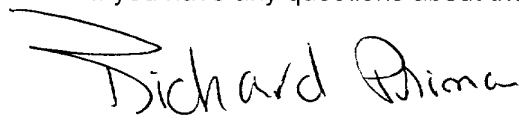
Enclosed is a copy of background information on an item on the City Council
agenda of Wednesday, September 20, 2000. The meeting will be held at 7 p.m. in the
City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the consent calendar and is usually not discussed unless a
Council Member requests discussion. The public is given an opportunity to address
items on the consent calendar at the appropriate time.

If you wish to write to the City Council, please address your letter to City Council,
City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the
mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's
card (available at the Carnegie Forum immediately prior to the start of the meeting) and
give it to the City Clerk. If you have any questions about communicating with the
Council, please contact Susan Blackston, City Clerk, at 333-6702.

If you have any questions about the item itself, please call me at 333-6759.



Richard C. Prima, Jr.
Public Works Director

RCP/lm

Enclosure

cc: City Clerk